



008810-20021

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application
Examiner: Brown, M.

Art Unit: 3764

**CONTINUATION APPLICATION TRANSMITTAL**Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a request for filing a continuation application pursuant to 37 C.F.R. § 1.53(b), of pending prior application:

Serial No. 08/480,904 filed June 7, 1995, by Gary K. Michelson, M.D. (inventor(s) currently of record in prior application) for METHOD FOR INSERTING FRUSTO-CONICAL INTERBODY SPINAL FUSION IMPLANTS.

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed, or a replacement specification which does not add new matter.
2. ☒ The filing fee is calculated below:

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	1	-20	0	LG=\$18 SM=\$9	\$18	\$ 0	0
B	INDEPENDENT CLAIMS FEE*	1	-3	0	LG=\$78 SM=\$39	\$78	\$ 0	0
C	SUBTOTAL – ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)							\$ 0
D	MULTIPLE-DEPENDENT CLAIMS FEE				LARGE ENTITY FEE = \$260 SMALL ENTITY FEE = \$130		\$ 0	
E	BASIC FEE				LARGE ENTITY FEE = \$760 SMALL ENTITY FEE = \$380		\$ 760.00	
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)							\$760.00
	*LIST INDEPENDENT CLAIMS 1							

3. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Account No. 50-1066. A copy of this sheet is enclosed.
4. ☒ A check in the amount of \$ 760.00 is enclosed.

5. ☒ Cancel in this application original claim(s) 2-17 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. ☒ Amend the specification by deleting the first two sentences on page 2 and insert before the first line the sentence:

AI This is a ☒ continuation ☐ division of application Serial No. 08/480,904 filed June 7, 1995.

- 7a. ☒ New formal drawings are enclosed. 6
- 7b. ☐ Priority of application Serial Nos.:
___ application Serial No. ___ filed ___ is claimed under 35 U.S.C. § 119.
- 7c. ☐ The certified copy of the priority application will be filed in prior application Serial No. ___, filed ___.
8. ☐ The prior application is assigned of record to: ___.
9. ☒ The power of attorney in the prior application is as listed on the attached copy of the declaration filed in the patent application.
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future communications to the following Customer Identification Number:



22882

PATENT TRADEMARK OFFICE

Customer ID#22882
Amedeo Ferraro, Esq.
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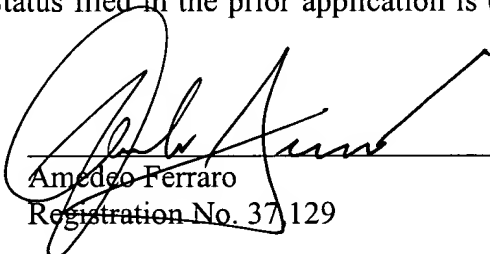
- 10a. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
- 10b. ☐ A separate check for \$___ is enclosed to cover additional claims added by the preliminary amendment.

11. ☐ Enclosed find the following declaration(s) in support of Small Entity status for this application:

- ☐ Inventor(s)
- ☐ Individual other than inventor
- ☐ Nonprofit organization
- ☐ Small business concern

12. ☐ The statement(s) of Small Entity Status filed in the prior application is (are) still proper.

Date: October 4, 1999


Amedeo Ferraro

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A

PATENT
Attorney Docket No: 008810-20021
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson, M.D.

Art Unit: 3764

Examiner: Brown, M.

Serial No: N/A

Filed: N/A

For: METHOD FOR INSERTING
FRUSTO-CONICAL INTERBODY
SPINAL FUSION IMPLANTS

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. E L399233205US

Date of Deposit: October 4, 1999

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I hereby certify that

- ☒ two copies of a Continuation Application transmittal
- ☒ True copy of prior application, and Combined Declaration and Power of Attorney as filed
- ☒ Drawing Amendment
- ☒ 6 sheets of formal drawings
- ☒ check in amount of \$ 760.00 for the filing fee
- ☒ return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231.

Date: October 4, 1999

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Lisa K. Robbins

Name of person mailing papers

Lisa K. Robbins

Signature